

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**DONNA POLK**

**PLAINTIFF**

**v.**

**CAUSE NO. 1:17cv41-LG-LRA**

**NANCY BERRYHILL,  
Acting Commissioner  
of Social Security**

**DEFENDANT**

**ORDER ADOPTING REPORT AND RECOMMENDATION  
AND REMANDING SOCIAL SECURITY APPEAL  
FOR FURTHER DEVELOPMENT OF THE RECORD**

**BEFORE THE COURT** is the [27] Report and Recommendation entered by United States Magistrate Judge Linda R. Anderson. Judge Anderson finds that the ALJ erred in weighing the plaintiff's treating physicians' opinions; therefore, Judge Anderson recommends that the case be remanded for further proceedings. No party has filed an objection to the Report and Recommendation.

Where no party has objected to the Magistrate Judge's report and recommendation, the Court need not conduct a de novo review of it. *See* 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings and recommendations to which objection is made.") In such cases, the Court need only satisfy itself that there is no clear error on the face of the record. *Douglass v. United Serv. Auto Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996).

Having conducted the required review, the Court finds that Judge Anderson's Report and Recommendation is neither clearly erroneous nor contrary to law.

Therefore, the Report and Recommendation is adopted as the opinion of this Court.

**IT IS, THEREFORE, ORDERED AND ADJUDGED** that the [27] Report and Recommendation entered by United States Magistrate Judge Linda R. Anderson is **ADOPTED** as the opinion of this Court. This case is **REMANDED** for further proceedings consistent with the thorough Report and Recommendation entered by Judge Anderson. The Court will enter a separate judgment pursuant to Fed. R. Civ. P. 58.

**IT IS, FURTHER, ORDERED AND ADJUDGED** that the [16] Motion for Judgment on the Pleadings filed by Donna Polk is **GRANTED** to the extent that this case is remanded for further proceedings and is **DENIED** in all other respects.

**SO ORDERED AND ADJUDGED** this the 31st day of August, 2018.

s/ *Louis Guirola, Jr.*

LOUIS GUIROLA, JR.  
UNITED STATES DISTRICT JUDGE